

PDV USA, Inc.

Plaintiff,

v.

Interamerican Consulting, Inc.

Defendant.

No. 20-cv-03699-JGK

**DECLARATION OF DAVID  
RIVERA**

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I, David Rivera, declare as follows:

1. In or around November 2017, my phone was seized by the Government.
2. I recall receiving a phone call from my attorney, Roy Kahn, that he had been contacted by someone from the Government asking if they could drop off a telephone at his office that had been previously confiscated from me at Orlando International Airport.
3. I informed Mr. Kahn that I did not want the phone back because, at this point, I had already purchased another phone. I was also concerned that the Government would have inserted a listening device or some other form of spyware to listen to my conversations and track my movements.
4. As I have stated in previous declarations and responses to interrogatories, the phone was never returned to me, since I never went to Mr. Kahn's office to retrieve it, and I told him to feel free to discard it. Mr. Kahn has not been my attorney since February 2021, and I have not spoken to him in nearly four years.
5. For all of these reasons, during the past seven years, I have always assumed that Mr. Kahn discarded the phone

6. The same applies to the I-Pad that was also seized by the Government in November 2017. For the reasons stated above related to Government spyware, I did not want the I-Pad back and the I-Pad was never returned to me. I never went to Mr. Kahn's office to retrieve it and Mr. Kahn was similarly free to discard it. I never purchased another I-Pad since I only used it to surf the internet in remote locations and no longer needed one to do so. As with the phone, during the past seven years, I have always assumed that Mr. Kahn discarded the I-Pad.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 4th day of December 2024 in Miami, Florida.



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David Rivera